THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 18116 of 2006

01-09-2006

Between:

Kasa Jagan Mohan Reddy … Petitioner

And

The District Collector,
Kadapa and others. … Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No.18116 of 2006

Oral Order:

Heard learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

At the request of the learned counsel for the petitioner, the Writ Petition is disposed of at the stage of admission.

Writ Petition is filed for the relief, in substance, that the official respondents be directed to investigate into the fact, whether the 4th respondent-complainant, at whose instance FIR.NO.130/06 dated 16.8.2006 was registered on the file of Police Station, Duvvur, Kadapa District, alleging offences punishable under Section 324 I.P.C. read with Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is at all a member belonging to Scheduled Caste community. According to the petitioner, the very complaint of the 4th respondent which was registered as FIR.No.130/2006 is to the effect that he is a member of the Village Church of Machanapalli Village and the event is in respect of an affair that had occured in the Church premises, whereat on 16.8.2006, the petitioner is alleged to have abused the 4th respondent taking his caste name. The petitioner has also submitted a representation dated 19.8.2006 to the 2nd respondent stating that the 4th respondent-

complainant is a member of the Church on his own showing and that the petitioner has personal knowledge that the complainant belongs to the Christian faith, his father is also a Christian and his marriage was performed in a Church. In the said representation, the petitioner requested the 2nd respondent to verify and conduct a detailed enquiry about the caste of the 4th respondent-complainant.

In view of the allegations in the writ petition as well as in the representation of the petitioner dated 19.8.2006 addressed to the 2nd respondent, the 2nd respondent is required to make relevant enquiries expeditiously as an FIR has already been registered and the petitioner is facing the threat of arrest.

In the circumstances, the 2nd respondent is directed to expeditiously investigate not only into the complainant in FIR.130/2006, registered on the basis of the complaint of 4th respondent, but also into the petitioner's representation seeking verification of the caste of the 4th respondent to ascertain whether the 4th respondent is Christian or a member of the Scheduled Caste community. The petitioner is at liberty to furnish all information or documentation available with him for consideration of 2nd respondent to facilitate investigation into the caste antecedents of the 4th respondent-complainant.

Nothing in this order is to be understood as an expression by this Court on the merits of the petitioner's assertions in the Writ Petition.

The Writ Petition is disposed of accordingly.

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1st September, 2006 **GODA RAGHURAM, J**

Note: Furnish CC in one week.

(BO)

vtv

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